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Attorney for Plaintiffs,
Attorney General of the State of New Jersey and
State of New Jersey, Department of Environmental Protection
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STUART RABNER,	:	SUPERIOR COURT OF NEW JERSEY
ATTORNEY GENERAL	:	CHANCERY DIVISION-OCEAN CNTY.
OF NEW JERSEY,	:	
	:	DOCKET NO. _____
and	:	
	:	
STATE OF NEW JERSEY,	:	
DEPARTMENT OF	:	Civil Action
ENVIRONMENTAL PROTECTION,	:	
Plaintiffs,	:	
	:	
v.	:	
	:	VERIFIED COMPLAINT
	:	
MICHAEL GINALDI;	:	
	:	
DEBRA WRIGHT;	:	
	:	
MARTIN W. and	:	
MARGARET C. CAULFIELD;	:	
	:	
CAROL McCANN;	:	
	:	
and	:	
	:	
10 SURF CITY, LLC;	:	
	:	
Defendants.	:	

Plaintiffs, Stuart Rabner, the Attorney General of New Jersey, and the State of New Jersey, Department of Environmental Protection ("DEP") (collectively, "the State"), by way of complaint against the Defendants, say:

NATURE OF THE ACTION

1. This is an action in which the State seeks an order allowing the DEP, its representatives, contractors, agents and assigns to enter the property of Defendants to perform emergent shore protection and other erosion control measures for the benefit of the State of New Jersey and its citizens by protecting the Defendants and New Jersey's other coastal inhabitants, along with the coastal economy, from the threat of major storm events.

THE PARTIES

2. Plaintiff, Stuart Rabner, is the Attorney General of New Jersey. As such, Stuart Rabner is charged by law with representing the public interest inhering in the citizens of New Jersey. These interests include facilitating the exercise of the State's police power to protect public safety and protecting the public resources of the State under the Public Trust Doctrine. Stuart Rabner brings this action in his official position as the Attorney General of New Jersey.
3. Plaintiff, DEP, is a state agency charged with preserving, sustaining, protecting and enhancing the environment to ensure public health, high environmental quality, and economic vitality in the coastal area.
4. Defendant, Michael Ginaldi, is the owner of real property adjacent to the beach and Atlantic Ocean, located at 2201 N. Ocean Avenue in the Borough of Surf City, Ocean County, New Jersey, identified on the official Surf City tax map as Block 57, Lot 1.01.
5. Defendant, Debra Wright, is the owner of real property adjacent to the beach and Atlantic Ocean, located at 2207 N. Ocean Avenue in the Borough of Surf City, Ocean County, New Jersey, identified on the official Surf City tax map as Block 57, Lot 2.01.

6. Defendants, Martin W. and Margaret C. Caulfield, are the owners of real property adjacent to the beach and Atlantic Ocean, located at 2313 N. Ocean Avenue in the Borough of Surf City, Ocean County, New Jersey, identified on the official Surf City tax map as Block 58, Lot 3.00.
7. Defendant, Carol McCann, is the owner of real property adjacent to the beach and Atlantic Ocean, located at 6 N. 24th Street in the Borough of Surf City, Ocean County, New Jersey, identified on the official Surf City tax map as Block 58, Lot 4.
8. Defendant, 10 Surf City, LLC, is the owner of real property adjacent to the beach and Atlantic Ocean, located at 10 N. 22nd Street in the Borough of Surf City, Ocean County, New Jersey, identified on the official Surf City tax map as Block 53, Lot 4.

FACTUAL BACKGROUND

Risks Associated with Coastal Storms

9. In New Jersey, hurricanes and other tropical storm systems, as well as other Atlantic coastal storms such as "nor-easters," can produce extremely high winds, torrential rain (leading to flash floods), and tornadoes, and drive oceanic storm surges onto coastal areas with catastrophic effects.
10. Coastal storms on the open seas can cause large waves, heavy rains, and high winds. The most devastating effects of strong coastal storms occur when they pass close to the shoreline or cross coastlines, making landfall.
11. Coastal storms that pass close to the coastline or make landfall can, among other things, directly damage or destroy buildings, vehicles, roads and bridges, and cause an increase in sea level.
12. More importantly, coastal storms can result in loss of human life or serious injury or illness due to drowning, flying debris, the infusion of disease when combining the destruction of sanitation facilities with warm summer weather, an outbreak of infections due to wading in sewage-polluted standing water, fires caused by damaged buildings and utilities, power outages that prohibit vital communication and hamper rescue efforts, and the

destruction of access ways complicating efforts to transport necessities such as food, clean water, temporary shelters, and medicine.

13. Long Beach Island, a narrow barrier island in Ocean County stretching approximately eighteen (18) miles along the Atlantic Ocean, is subject to severe storms and constant erosion on the average of one foot per year, thereby destroying a valuable natural resource for all of the citizens of New Jersey and threatening the safety and property of five coastal municipalities and their residents.
14. The current vulnerability of Long Beach Island to dangerous coastal storms and erosion make shore protection through beach nourishment and replenishment necessary to defend against significant loss of human life, injury, and property damage.
15. In 1944 and 1962, catastrophic storms battered Long Beach Island, causing houses to float off their foundations, washing away whole sections of beach and cutting new inlets through the island.
16. The 1944 storm destroyed every major boardwalk along the 128-mile coast of New Jersey and killed at least four people.